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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,118	11/18/2003	Takayuki Yajima	848075/0061	6090
29619	7590	08/23/2007	EXAMINER	
SCHULTE ROTH & ZABEL LLP ATTN: JOEL E. LUTZKER 919 THIRD AVENUE NEW YORK, NY 10022			MA, CALVIN	
		ART UNIT	PAPER NUMBER	
		2629		
		MAIL DATE	DELIVERY MODE	
		08/23/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/716,118	YAJIMA, TAKAYUKI
	Examiner Calvin Ma	Art Unit 2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 November 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 06 August 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Information Disclosure Statement

2. The references listed on the Information Disclosure Statement filed on November 18, 2003, December 4, 2006, and March 5, 2007 have been considered by examiner; see attached PTO-1449.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

4. Claim 20 is objected to because of the following informalities: The numbering of claim is incorrect in claim 20, there is a misspelling, "claim 13" should be changed to "claim 15" as other wise claims 13 and 20 become redundant. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Finke-Anlauff (U.S. Patent: 6,850,226).

As to claim 8, Finke-Anlauff discloses a portable terminal unit (i.e. the device 30) comprising:

a first housing (i.e. screen panel 2) having at least a display section (i.e. display 6) (see Fig. 1, Col. 2, Lines 50-65, Col. 3, Lines 5-10);

a second housing (i.e. body 1) having at least a main operation section (i.e. since the body contains the processing parts of the device, it contains the main operation section) (see Fig. 1, Fig. 5, Col. 2, Lines 49-53), wherein both said first housing (2) and said second housing (1) are coupled together (i.e. the display panel is attached to the body 1) (see Fig. 1) so that said main operation section is covered with said first

housing in a closed state and is exposed in an opened state (i.e. since the screen panel covers most of the body when the device is closed, the main operation section is covered by the display) (see Fig. 1), and a display screen of said display section is exposed in both said closed state and said opened state (i.e. the screen panel is always in view, and is therefore exposed in both the closed and open state) (see Fig. 1, Lines 50-65);

an auxiliary operation section (i.e. telephone keypad 7) comprising at least one key (i.e. the telephone keys such as the numeral keys and the directional control keys) (see Fig. 1, Fig. 5, Col. 3, Lines 55-62) provided on either said first housing or said second housing other than on a surface (i.e. the keys are on the body and always exposed) (see Fig 1, Col. 3, Lines 55-62), of said first and second housings opposed to each other in said closed state (i.e. the screen panel 2 is on top of the body 1 and therefore opposed each other in the closed state) (see Fig. 2b, Col. 2, Lines 50-60);

a state detecting section (i.e. 29 panel position sensor) for detecting whether said first housing and said second housing are in said opened state or in said closed state (i.e. the panel position sensor senses whether or not the panel is in open or closed position, since when the screen panel is opened the user is able to use the larger keyboard it would serve to the users convenience to rotate the screen orientation so that it will be in a landscape mode, which is allowed by the automatic sensor which use software control to switch the orientation mode when the panel is opened) (see Fig 8, Col. 4, Lines 30-35);

and a control section (i.e. the main control process 257) (see Fig. 8) to control said display (6) of a selecting screen on said display section (2) when said at least one key is operated in said closed state (i.e. the direction arrow by design will navigate a cursor on the screen regardless weather the screen is in open or closed position as Fig. 1 clearly demonstrate dark underlining cursor that is controlled by the directional cursor key 13) (see Fig. 1, Col. 4, Lines 1-2) and to control said display (6) of a display screen image corresponding to a specific item on said display section (2) when said state detecting section detects that said portable terminal unit is in said opened state (i.e. since the device is able to detect orientation based on the position of the screen panel) (see Fig. 8, Col. 4, Lines 32-35) after selecting said specific item from a plurality of items shown in said selecting screen (i.e. since the application key 8, cursor keys 13 are always accessible, and the display weather in open or closed state are always controlled by software, the function will properly select the specific item) (see Fig 1, Fig 8, Col. 4, Lines 15-48).

As to claim 1, see discussion of claim 1 above, claim 1 is analyzed to be broader than claim 8 and is rejected on the same ground.

As to claim 15, see discussion of claim 8 above, claim 15 differs only from claim 8 in the limitation of “a coupling section which rotatably couples said first housing and said second housing”. Finke-Anlauff teaches a coupling section which rotatably couples

said first housing (2) and said second housing (1) (i.e. the rotation by a pivot pin about the axis of the pins 38 that can also slide in a track 18, in this way the device is additionally given the rotational capability) (see Fig. 4, Col. 3, Lines 15-25).

As to claim 9, Finke-Anlauff teaches the portable terminal unit (30) according to claim 8, wherein said selecting screen displays a plurality of function items (i.e. the device is said to have PDA functionality and specifically allow the user to select function such as video camera 11, calendar data 26, contact data 27, and internet browser 28) (see Fig. 8, Col. 4, Lines 20-30).

As to claim 10, Finke-Anlauff teaches the portable terminal unit according to claim 9 wherein said function items are a mail function (i.e. email), a memorandum function (i.e. notes), a schedule book function (i.e. calendar function), a browser function (i.e. Internet browser 28), a message/voice memorandum function (i.e. in cellular telephony the message and voice memorandum functions are network provided, for a cellular phone to provide service to the user, it is an understood function built-in to the phone), a history function and a camera (i.e. video camera 11) function (i.e. since the device is able to handle full PDA functionality and all application that software packages such as Microsoft Office handles, all of the above functionality are present)(see Fig. 8, Col. 2, Lines 35-47, Col. 4, Lines 20-30).

As to claim 11, Finke-Anlauff teaches the portable terminal unit according to claim 8, wherein said selecting screen displays a plurality of selecting items for one function item (i.e. since the device 30 is able to allow the user to select and operate functions such as internet browser, which allows the user to select plurality of items in the browser to allow proper functionality) (see Fig. 8, Col. 4, Lines 20-30).

As to claim 12, Finke-Anlauff teaches the portable terminal unit according to claim 8, wherein said portable terminal unit (30) is a mobile telephone (i.e. mobile telephone 21) (see Fig. 1, Col. 4, Lines 15-16).

As to claim 13, Finke-Anlauff teaches the portable terminal unit according to claim 8, wherein said portable terminal unit (30) is a personal digital assistant (i.e. the device function as a personal digital assistant) (see Col. 4, Lines 22-24).

As to claim 14, Finke-Anlauff teaches the portable terminal unit (30) according to claim 8, wherein said first housing (2) and said second housing (1) are coupled to each other so as to be opened and closed by a sliding motion (i.e. screen panel 2 slide over keyboard 12 of the body 1) (see Fig. 3, Col. 2, Lines 58-60)

As to claims 2-7, see discussion of claim 9-14 above, claims 2-7 are analyzed to be broader than claims 9-14, and are rejection on the same ground.

As to Claims 16-20, see discussion of claim 15 above, these claims are analyzed as equivalent to claims 9-13 with respect to the parent claim, claim 15, and is rejected for the same reason.

Conclusion

Castiel (U.S. Patent 6,249,672) is cited to teach a sliding phone with auxiliary control. Boesen (U.S. Patent 6,744,624) is cited to teach a sliding personal digital assistant. Lenchik et al. (U.S. Patent: 7,257,430) is cited to teach a two element rotational design for a cellular phone that read the claims of the current application.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Calvin Ma whose telephone number is (571) 270-1713. The examiner can normally be reached on Monday - Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Calvin Ma
August 15, 2007



CHANH D. NGUYEN
SUPERVISORY PATENT EXAMINER